

Appl. No. 10/815,372
Amdt Dated May 22, 2006
Reply to Office Action Feb. 22, 2006

REMARKS

Claims 1, 6 and 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bryant et al. (US 6,707,674) in view of Wu (US 6,542,369); Claims 2-4, 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bryant et al. in view of Wu and further in view of Lin et al. (US 6,396,696); Claims 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bryant et al. in view of Wu and further in view of Lin et al. and further in view of Kosteva et al. (US 5,870,285).

In response, Applicant has amended claims 1, 3, 6, 8, 11, cancelled claims 2, 7 and added new claims 17-18. Claims 4-5, 9-10 and 12-16 remain unchanged. Therefore, claims 1, 3-6, and 8-18 are pending for examination after the amendment set forth above.

In regard to amended claims 1, 6, Applicant submits that the teachings of Lin et al. cannot be combined with those of Bryant et al. in view of Wu to reject amended claims 1 and 6. The reasons therefor are based on the following facts: (1) From Lines 47-51, Column 2 and Fig. 1 of Lin et al., the pressing tab 62 is received in the groove 26 of the heat sink 20 and is used for pressing the heat sink 20 against the electronic device 35. Furthermore, only when the legs 54, 56 engage with the catches 12 of the retention module 10, the pressing tabs 62 can press the heat sink 20 against the electronic device 35. The pressing tab 62 can not be snappingly engaged in the grooves 12 prior to the assembly of the clip 40 to the retention module 10. The fasteners of claims 1, 6 of the present invention alone are used for snappingly engaging in the cutouts to firmly combine the heat sink and the mounting device together. The pressing tab 62 of Lin et al. alone

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has not the same function as the fasteners of claims 1, 6 of the present invention and can not make the heat sink 20 combine with the retention module 10. In fact, in Lin et al., only after the legs 54, 56 have engaged with the catches 12 and the fastener 44 has been attached to the retention module 10 and the fixing plate 66 has engaged with the fastener 44, the heat sink 20 can combine with the retention module 10. It is not obvious for a person skilled in the art to combine the pressing tab 62 of Lin et al. to the ramp surface 50 of the retention tab 46 in order to insert into the notch in 64 to thereby combine the heat sink 32 and the frame member 30 together. Actually from Fig. 8 of Bryant et al., it can be clearly seen that the ramp surfaces 50 of the retention tabs 46 depress top surfaces of opposite ends 60, 62 of the heat sink 32, which is sufficient to fix the heat sink 32 to the frame member 30; accordingly, the retention tabs 46 does not need form any extension from the ramp surface 50 inserted into the notches in 64 in order to combine the heat sink 32 and the frame member 30 together. There is no motivation in Bryant et al. to combine the tab 62 of Lin et al. into the ramp surface 50 of the retention tab 46 in order to retain the heat sink 32 and the frame member 30 together. Thus, Examiner's alleged combination of the prior arts is not obvious to person skilled in the art. (2) Provided that the pressing tabs 62 of Lin et al. could be engaged in the notches near 64 of Bryant et al., the heat sink 32 and the frame member 30 still cannot combine together because the pressing tab 62 is formed on the clip 40 which is separated from the frame member 30. It is not obvious for a person skilled in the art to combine the pressing tab 62 of the clip 40 of Lin et al., which is separate from the retention module 10 thereof into the frame member 30 of Bryant et al. to obtain the subject matter of amended claims 1 and 6.

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Because of the above-mentioned several facts, claims 1, 6 should be patentable, with their dependent claims 3-5 and 8-10 also patentable.

In claim 11, applicant clearly points out the heat sink having a long side and a short side adjoining the long side, and the mounting device having a length shorter than the long side of the heat sink and a width shorter than the short side of the heat sink, whereby a boundary of the mounting device is located within and under a boundary of the heat sink. None of Bryant et al., Wu, Lin et al. and Kosteva et al. discloses a side of the heat sink which is longer than a corresponding side of the mounting device. These references cited by the examiner disclose that the heat sink is received in the mounting device and the lateral sides of the mounting device encloses the heat sink, so that the sides of the heat sink are shorter than the corresponding sides of the mounting device. Therefore, claim 11 should be patentable, with their dependent claims 12-16 also patentable.

The added dependent claims 17-18 should also be in a condition for allowance at least because they include the distinguishable limitations of claim 11 as indicated above.

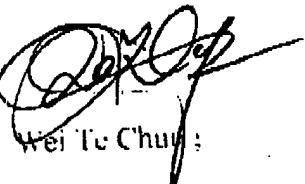
In view of the foregoing, the subject application as claimed in the pending claims is in a condition for allowance and an action to such effect is earnestly solicited.

Respectfully submitted,

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